

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: IES UTILITIES INC.	DOCKET NO. E-21233
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ORDER GRANTING CERTIFICATE OF AMENDMENT

(Issued September 9, 1999)

On March 15, 1999, IES Utilities Inc. (IES) filed a petition, identified as Docket No. E-21233, with the Utilities Board (Board) for authority to amend its previously granted Franchise No. 17169. IES specifically requested the Board allow it to rebuild 16.55 miles of existing electric transmission line, relocate 3 circuit miles, and increase the authorized operating voltage for 19.55 mile from 36,230 to 72,500 volts, all in Cedar County, Iowa, for the transmission, distribution, use, and sale of electric current for lighting, power, and heating purposes pursuant to IOWA CODE Chapter 478 (1999).

CONCLUSION OF LAW

The Utilities Board has authority pursuant to IOWA CODE Chapter 478 (1999) to grant a certificate of amendment to attach additional circuits for operating and maintaining its transmission line.

FINDINGS OF FACT

1. The Board has jurisdiction of the parties and subject matter pursuant to IOWA CODE Chapter 478 (1999).

2. No objections have been filed as provided for by IOWA CODE Chapter 478 (1999).

3. Due notice on the petition was made as provided by IOWA ADMIN. CODE 199-11.5(5) (1999).

4. Consent has been filed as provided by law.

5. The proposed transmission line modification is necessary to serve a public use. This conclusion is based on information provided pursuant to IOWA CODE Chapter 478 (1999).

6. The proposed transmission line modification represents a reasonable relationship to an overall plan of transmitting electric energy in the public interest. This conclusion is based on information provided pursuant IOWA CODE Chapter 478 (1999).

7. The proposed transmission line will meet or exceed the minimum engineering requirements of the rules of the Board and will conform to the requirements of IOWA CODE Chapter 478 (1999).

8. Interests in real estate, where necessary, have been acquired for use by IES and the right of eminent domain is not required.

9. The proposed transmission line modification will be constructed near and parallel to existing rights-of-way or along division lines of the land, wherever the

same is practicable and reasonable and so as not to unnecessarily interfere with the use of land by the occupants.

ORDERING CLAUSES

IT IS THEREFORE ORDERED:

1. The petition shall be granted, and a certificate of amendment shall be issued to IES Utilities Inc. to rebuild 16.55 miles of existing electric transmission line, relocate 3 miles, and increase the authorized operating voltage for 19.55 miles from 36,230 to 72,500 volts, all in Cedar County, Iowa, as specifically described in the certificate of amendment attached to and incorporated by reference in this order.

2. The Utilities Board retains jurisdiction of the subject matter in this docket pursuant to IOWA CODE Chapter 478 (1999) and may at any time during the period of the certificate of amendment, make such further orders as may be necessary.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Judi K. Coper
Executive Secretary, Deputy

/s/ Diane Munns

Dated at Des Moines, Iowa, this 9th day of September, 1999.

C E R T I F I C A T E O F A M E N D M E N T

On March 15, 1999, IES Utilities Inc. (IES) filed a petition, identified as Docket No. E-21233, with the Utilities Board (Board) for authority to amend its previously granted Franchise No. 17169. IES specifically requested the Board allow it to rebuild 16.55 miles of existing transmission line, relocate 3 circuit miles, and increase the maximum operating voltage for 19.55 miles of electric transmission line from 36,230 to 72,500 volts, all in Cedar County, Iowa, pursuant to IOWA CODE Chapter 478 (1999). Upon due notice and consideration in accordance with IOWA CODE Chapter 478 (1999), the Board found the petition should be granted and the franchise amended.

Pursuant to the order of the Board and IOWA CODE Chapter 478 (1999), this certificate of amendment is granted, along with permission and authority to erect, maintain, and operate a transmission line on routing as specifically described for the transmission, distribution, use, and sale of electric current outside of cities and towns, and for such purpose to erect, use, and maintain poles, wire, guy wires, towers, cables, conduits, and other fixtures, and appliances necessary for conducting electric current for light, heat, and power, over, along, and across any public lands, highways, streams, or the lands of any person, company, or corporation, and to acquire necessary interest in real estate for such purposes, on and along the route particularly described in Exhibit A, attached to and incorporated by reference in this order.

Franchise No. 17169, to construct, operate and maintain 66.30 miles of transmission line at a maximum voltage of 36,230 volts and 24.40 miles of 121,000

volts on the route particularly described in Exhibit A, was granted by the Board or predecessor, to IES Utilities Inc. on May 18, 1995, identified as Docket No. E-21233.

This certificate of amendment is granted from the date of issuance unless sooner revoked or modified, to the date of termination of the franchise. This certificate shall be subject to and governed by all provisions, conditions, and requirements of IOWA CODE Chapter 478 (1999) and by all provisions, conditions, and requirements of the Board, as may be applicable.

It is provided and understood this certificate of amendment is granted subject to the provisions of IOWA CODE § 319.5 (1999).

It is further provided and is a condition of this certificate that the Board retains jurisdiction and may during the period of this certificate make such further orders and regulations as may be necessary.

UTILITIES BOARD

/s/ Allan T. Thoms
Chairman

ATTEST:

/s/ Judi K. Cooper
Executive Secretary, Deputy

Dated at Des Moines, Iowa, this 9th day of September, 1999.